

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SMILEY JAMES HARRIS
a/k/a JAMES LaVELL HARRIS,

Plaintiff,

v.

LAKE COUNTY JAIL; et al.,

Defendants.

No. C 09-4470 SI (pr)

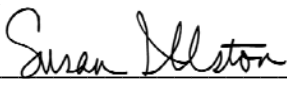
**ORDER STRIKING AMENDED
COMPLAINT IN CLOSED ACTION**

More than two months after this action was dismissed, the court received from plaintiff an amended complaint. The amended complaint is stricken because the action already had been closed.

The dismissal of this action was without prejudice to plaintiff filing a new action. That kind of dismissal did not mean he could file an amended complaint and continue to litigate in this action. Instead, it meant that, if he wanted to pursue his claim, he would have to file a new complaint with a new in forma pauperis application (if he wishes to proceed as a pauper), and would receive a new case number. The latter option remains available to plaintiff. Any new complaint should not have this case's case number on it, so the clerk will understand the need to assign it a new case number.

IT IS SO ORDERED.

Dated: March 28, 2011



SUSAN ILLSTON
United States District Judge